

04-09-08

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of

Shinichi ODA

Serial Number: To be assigned

Filed: Herewith

For: OSCILLATION DATA RECORDING
WATER

Attorney Docket No. Y05S011PCT-US-D

Art Unit
To be assigned

Examiner
To be assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**EXPLANATION OF FILING OF
PETITION FOR EXTENSION OF TIME AND
DIVISIONAL APPLICATION**

Sir:

This letter to explain that Applicant is filing the accompanying *DIVISIONAL APPLICATION* along with the enclosed *Petition For a One (1) Month Extension of Time* to reply to an Office Action in its parent application, U.S. Patent Application Serial No. 10/535,113 (hereinafter "Parent Application"), as well as a check covering the appropriate fees.

Due to the filing of the Petition, the present divisional application should have proper co-pendency with the above-mentioned parent application. Thus, it should have a proper priority claim for all subject matter in common with the parent application, pursuant to 35 U.S.C. 121.


According to a telephone discussion with the Examiner in the Parent Application during February 2008, Applicant is filing the present divisional application in response to a Restriction Requirement made in the Examiner's Office Action dated February 7, 2008. In that Office Action, the Examiner constructively elected the invention claimed in original Claim 1 in the Parent Application pursuant to MPEP § 821.03. The present divisional

application is being filed in order to prosecute the invention covered by the remaining Claims 2-5 that were withdrawn from consideration in the Parent Application (now submitted as Claims 1-4). No traverse is made at this point of the requirement for restriction.

No Information Disclosure Statement is currently being submitted in the present divisional application (which claims and discloses only subject matter disclosed in the Parent Application), since the Examiner will review the prior art cited in the Parent Application and individuals designated by 37 CFR 1.56(c) is aware of no other pertinent prior art at the present time.

If you have any questions or need any further information regarding these filings, please contact me at the telephone number indicated below. Thank you.

Respectfully submitted,



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April 7, 2008